# **EXHIBIT C**

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### **United States Copyright Office**

Library of Congress • 101 Independence Avenue SE • Washington DC 20559-6000 • www.copyright.gov

May 05, 2014

Perkins Coie LLP Attn: Grace Han Stanton 1201 Third Avenue Suite 4900 Seattle, WA 98101

Correspondence ID: 1-NCW33Q

RE: see title list below

RECEIVED TRADEMARK BOCKETING
MAY 1 2 2014

MAY 1 3 2014

PERKINS COIE LLP

PERKINS COIE LLP



Dear Grace Han Stanton:

RE: CRAIGSLIST WEBSITES May 2000; June 2000; October 2003; and July 2012 (Homepages and Primary Supporting Pages); and GROUP REGISTRATION FOR AUTOMATED DATBASE TITLED CRAIGSLIST CLASSIFIED ADS DATABASE, Published updates from April 19, 2012 to July 19, 2012.

We are refusing registration for these claims because the deposit requirements have not been met. These claims have been pending in our Office for quite some time following written correspondence and a meeting between Craigslist and our Office. Please accept my apology for the long delay in writing you further.

On August 09, 2012 our Office notified Craigslist, Inc., that it was not clear whether the correct deposits were submitted for copyright registration for the different versions of the Craigslist Website cited above. Many of the deposits referred to revisions and updates which occurred before and after the publication dates listed on the applications. We explained that our regulations offer no blanket copyright registration that covers past and future revisions and additions to a work that are published on different dates. A registration will cover only the copyrightable authorship first published on the date given on the registration record. Further, for a revised version of the website, the registration will only cover the copyrightable new matter added since the last published version. To be copyrightable, the revised version must be different enough from the original to be regarded as a new work or must contain a substantial amount of new material. Making minor changes or additions of little substance to a preexisting work will not qualify the work as a new version for copyright purposes.

On June 19, 2013, Associate Register of Copyright - Robert Kasunic and Chief of the Literary Division - Ted Hirakawa, met with Patrick Corrigan and Brain Hensessy from Perkins Cole, LLP to discuss the claims submitted for copyright registration. In that meeting, Messrs. Corrigan and Hensessy confirmed that the original web pages submitted for copyright registration were mistakenly taken from the wrong dates and that Craigslist, Inc. would prefer to file separate applications for different dates.

In addition, we received an application to register a database titled 'GROUP REGISTRATION FOR AUTOMATED DATBASE TITLED CRAIGSLIST CLASSIFIED ADS DATABASE, Published updates from April 19, 2012 to July 19, 2012." In our meeting on June 19, 2013, you requested that we amend the registration record to change the range of dates from July 16, 1012 through August 8, 2012 because the license agreement to user-created posts submitted outside of that time period was not exclusive and therefore, Craigslist may not be the copyright owner of that material. We explained that registration is not possible for the claim as submitted and that a supplemental registration for the correct dates would not be appropriate with a claim in litigation. If you wish to register a different range of dates, a separate application, identifying material from that 3 month period, and a separate filing fee is required. You agreed that refusal and the filing of new claims was appropriate.

Since we did not receive the correct deposit copies for the websites and it is not possible to substitute an application and registration materials for a previously submitted claim, we must refuse registration for all the works. In accordance with our practices, we will file the applications and retain the non-refundable filing fees.

This letter is for your information only; no response is necessary.

Sincerely.

Ted A. Hirakawa

Chief, Literary Division

United States Copyright Office

101 Independence Avenue S.E.

Washington, D.C. 20559-6222

Tel: (202) 707-6181 | fax: (202) 707-1237

Enclosures:

Reply Sheet

Title List:

Craigslist website May 2000... supporting pages)

Craigslist website June 2000... supporting pages)

Group registration for... to July 19, 2012 craigslist website October... supporting pages) craigslist website 2012... supporting pages)



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# Return this sheet if you request reconsideration.

## How to request reconsideration:

- Send your request in writing. (It must be received in the Copyright Office <u>not later than three months after the date on the Office's refusal letter.</u>)
- Explain why the claim should be registered or why it was improperly refused.
- Enclose the required fee see below.
- Address your request to:

Copyright RAC Division P.O. Box 71380 Washington, DC 20024-1380

Note:

To expedite delivery, write "Reconsideration" on the outside of the envelope. Include the Correspondence ID Number (see above) on the first page. Indicate either "First Reconsideration" or "Second Reconsideration" as appropriate on the subject line.

**Notification of decision**: The Copyright Office will send a written notification of its decision, including an explanation of its reasoning.

**First Request for Reconsideration:** The Registration and Recordation Program Office considers the first request. If it upholds the refusal, you may submit a second request.

**Second Request for Reconsideration:** The Copyright Office Board of Review considers the second request. The Board consists of the Register of Copyrights and the General Counsel (or their respective designees), and a third member appointed by the Register. <u>The Board's decision constitutes final agency action.</u>

#### FEES:

First Request	\$250
Additional claim in related group	\$25
Second Request	\$500
Additional claim in related group	\$25



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